

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT-CRIMINAL DIVISION

THE PEOPLE OF THE STATE OF
ILLINOIS,

Petitioner,

vs.

CORTEZ BROWN, a/k/a
VICTOR SAFFORLD,

Respondent.

No. 90 CR 23997

Post Conviction

REPORT OF PROCEEDINGS had at the hearing
of the above-entitled cause before the Honorable
CLAYTON CRANE, judge of said Court, on the 18th day of
May, 2009, at the hour of 11:20 a.m.

PRESENT:

HON. LISA MADIGAN

Attorney General of Illinois, by

MR. VINCENZO CHIMERA and

MR. PAUL BERVID and

MR. ERIC LEVIN

Appearing on behalf of the Plaintiff;

MR. LOCKE BOWMAN and

MR. FLINT TAYLOR and

MS. JOEY MOGUL and

MS. SARAH GELSOMINO

Appearing on behalf of the Defendant.

Paul W. O'Connor
Official Court Reporter
Circuit Court of Cook County
County Department

1 A. Yes. I exercised my right to an attorney.
2 That was it. But we didn't have a conversation.

3 Q. Then you got to Area Three?

4 A. Yes, sir.

5 Q. Will you tell us where you were placed at
6 Area Three?

7 A. In a central bullpen.

8 Q. Can you describe that bullpen?

9 A. It was a fenced-in area. With a bench and
10 rings on the wall where my right hand was handcuffed to
11 the wall.

12 Q. Describe for Judge Crane how you were
13 handcuffed? You're going to need to use words.

14 A. I was handcuffed with my right hand cuffed to
15 the ring on the wall.

16 Q. Were you seated or were you standing?

17 A. I was seated.

18 Q. Was anyone else in the cage that afternoon
19 other than you?

20 A. At that time, I don't believe so.

21 Q. And if you haven't already and I may have
22 missed this, can you tell us where in the building at
23 Area Three this particular cage that you were in was
24 located?

1 Q. Did they call you any names?

2 A. They called me a smart Alec.

3 Q. Can you estimate how many times you attempted
4 to stop the detectives questioning by asking for a
5 lawyer?

6 A. Maybe twice.

7 Q. Was this response the same both times?

8 A. Yes, sir.

9 Q. After your requests for a lawyer were
10 ignored, they continued questioning you?

11 A. Yes, sir.

12 Q. Then what did you do in response to their
13 question?

14 A. I just remained silent and sat there.

15 Q. After you started just sitting there and not
16 saying anything, what did the detective say to you?

17 A. He told me that I was going to answer these
18 questions. They said that if I didn't cooperate with
19 them, that I might get the death penalty or natural
20 life.

21 Q. Did they say anything else to you in the way
22 of threats?

23 A. Well, I'm not very sure with the times
24 because it was 20 years ago, but I do remember them

1 saying they would go and jump on my brothers and beat
2 them up again.

3 Q. Did you say anything after these threats were
4 made to you?

5 A. No, sir.

6 Q. What happened next?

7 A. Then that's when three of the detectives in a
8 bum rush style approached me and one of them, the guy I
9 just saw in the back, the tall guy, pressed me up
10 against the wall while the other two guys start
11 swinging on me.

12 Q. You say they started swinging at you.

13 What did they do?

14 A. Well, I remember them slapping me real hard
15 upside the head, and one hit me on the side of the
16 head.

17 Q. Now this expression slapping real hard upside
18 the head, can you stand up and demonstrate for Judge
19 Crane what that involves? Just stand up and with your
20 hand, show Judge Crane how you were slapped.

21 A. It was a hard slap to the head and punches to
22 the side of the head.

23 Q. Were you struck in any other way?

24 A. Yes, I was punched by the same officer I just

1 saw back there. He punched me in the chest and I was
2 punched in the body and the officer to the right of me
3 had struck me with a flashlight.

4 Q. Now, to be clear Judge Crane, where -- there
5 were three officers who physically abused you in this
6 way?

7 A. Yes, sir.

8 Q. Can you describe for Judge Crane where those
9 three officers were positioned in relation to you as
10 these blows were inflicted?

11 A. My left arm was cuffed across my body to the
12 ring on the wall. And the tall officer that I just
13 saw, he was pressed, had pressed me up against the wall
14 and then it was an officer right here and -- to the
15 right of me and a officer to the left of me.

16 Q. Going to show you some photographs. If I can
17 just have one minute, judge.

18 Let me present to you a copy of what was
19 previously marked, a Xerox was marked of this
20 photograph was marked as Petitioner's Exhibit 17. It's
21 the same photograph.

22 Placed before you a photograph that has
23 been marked as I have just indicated. Do you recognize
24 the individual pictured in that photograph?

1 A. Yes. This is the officer that was standing
2 in front of me having pressed against the wall. The
3 one I just saw back there.

4 Q. Next I'm going to place before you another
5 copy of a photograph that has been pre-marked as
6 Petitioner's Exhibit 16.

7 Do you recognize this photograph?

8 A. Yes, sir.

9 Q. Can you tell us who that is -- or strike that
10 question.

11 Will you tell us whether the individual
12 pictured in the photograph that I have just presented
13 to you, is a photograph of one of the individuals who
14 physically abused you on September 21, 1990?

15 A. Yes, he's the officer that was to the left of
16 me. He was striking me with his fist?

17 Q. Finally, let me place before you an image
18 that has been marked for identification as Petitioner's
19 Exhibit No. 15. Do you recognize the individual who is
20 portrayed in that photograph?

21 A. Yes, I remember him because this is the man
22 that struck me with the flashlight.

23 Q. Now, you described a physical attack that
24 occurred upon you, sir. As you were being physically